

**From:** [Gary Moore](#)  
**To:** [Halasz, Stephen \(Austin,TX-US\)](#)  
**Cc:** [Richard Bergner](#); [Rafael Casanova](#); [Anna Milburn](#); [Jon Rauscher](#); [Gloria-Small Moran](#)  
**Bcc:** [rbennett@tceq.state.tx.us](mailto:rbennett@tceq.state.tx.us)  
**Subject:** Re: Falcon Refinery  
**Date:** 06/01/2011 12:22 PM

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Steve:

I am not necessarily opposed to this approach. Of course, I am not sure from which Agency you should get the permit. I would assume that it would be from TCEQ since this action is being done under CERCLA. I think you should make contact with both State Agencies and find out from which entity they believe should handle.. I recommend that you go ahead and initiate transfer the water into tank 30. I would expect that any floating oil would be skimmed from tank 30 upon completion of the transfer or prior to being transferred into tank 30 (either way is fine).

Please send me your plan as soon as you have it available for permit request. I would expect that the set up would include the use of temporary tankage for the treated water prior to irrigation. The treated water would have to be tested prior to discharge via irrigation and would have to meet the permit requirements. I would like to see the setup that would be employed to handle the treatment of the water. You also need to make sure that this treatment process will also strip the VOCs that would be released into the air as we don't want to get complaints from the neighbors. I also assume that the proposed location of the irrigation system would be on the west side of the south facility. You may also be required to resample the soil on this portion of the property to confirm no impact. You also need to come up with a Plan B should the State decide not to issue a permit for this activity.

Thanks

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▼ "Halasz, Stephen (Austin,TX-US)" --06/01/2011 10:47:48 AM---Gary, I discussed the conversation that you and I had with Mr. Bergner this morning. To prevent the

From: "Halasz, Stephen (Austin,TX-US)" <SHalasz@trcsolutions.com>  
To: Gary Moore/R6/USEPA/US@EPA  
Cc: Richard Bergner <rbergner@rflaw.net>  
Date: 06/01/2011 10:47 AM  
Subject: Falcon Refinery

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Gary,

I discussed the conversation that you and I had with Mr. Bergner this morning. To prevent the accumulating rainfall in numerous tanks, Mr. Bergner approved the transfer of all liquid waste into Tank 30 the large 200,000 bbl tank. As tanks become empty they will be cleaned based on the addendum work plan and then either repaired or razed.

We would then like to treat the waste in Tank 30 likely with carbon and dispose of the water via a



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Land Application Permit through either the TCEQ or the RRC.

Unless you object to the transfer of fluids we will begin emptying tank 27 into tank 30 on Monday. Would you prefer that we obtain a Land Application Permit through the TCEQ or the RRC. Refinery waste would go through the TCEQ, however all that is left in the tanks is sludge and rainwater and without being refined crude oil tanks are under the jurisdiction of the RRC. I've completed applications with both agencies in the past year. Please let us know.

Stephen Halasz P.G.

Program Manager

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